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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/765,011	01/26/2004	William P. Anderson	BLO1134-003F	1286
8698 7590 04/17/2008 STANDLEY LAW GROUP LLP 495 METRO PLACE SOUTH SUITE 210 DUBLIN, OH 43017				
EXAMINER				
POINVIL, FRANTZY				
ART UNIT		PAPER NUMBER		
3692				
MAIL DATE		DELIVERY MODE		
04/17/2008		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Office Action Summary****Application No.**

10/765,011

**Applicant(s)**

ANDERSON ET AL.

**Examiner**

Frantzy Poinvil

**Art Unit**

3692

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 12 February 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-46 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-46 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Arguments***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 2/12/2008 has been entered.
2. Applicant's arguments filed 2/12/2008 have been fully considered, and are moot in view of the new grounds of rejection.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lyons et al. (US Patent No. 4,989,141) in view of Atkins (US Patent No. 4,953,085).

As per claims 1-2, 4-9, 11-16, 18-24 26-36, 38-44 and 46, Lyons et al disclose a system and method for the operation of a financial account. The system and method comprise collecting and transmitting at least daily financial transactions data from a plurality of financial institutions for a plurality of users. See column 10, lines 1-26 of Lyons et al. Lyons et al also teach

requesting from the database, financial transaction data for a customer's first and second account having a related first and second account number. Lyons et al also teach presenting the financial transaction data for the first and second account numbers to the one of the plurality of users. See column 4, lines 19-30 of Lyons et al.

The only difference between Lyons et al. and the claimed invention is that Lyons et al do not prompt the one of the plurality of users for individual first and second account number for financial transaction data from a respective first and second financial institution. As per this limitation, the clients of the system of Lyons have more than one types of account, as such, the Examiner asserts that this is a trivial difference as such would have been obvious to one of ordinary skill in the art to modify Lyons et al by providing users the choice to view only selected financial transaction data as would have been desired.

Furthermore, as noted, all the financial transactions of a user are obtained from specific databases associated with an account number. Thus, providing prompts to a user for inserting any associated account numbers when viewing this passage would have been obvious to one of ordinary skill in the art to do so because these are well known database search and retrieval database techniques. Such a practice is a well known database technique for allowing a user to view search and retrieve information relating to an account number at a time as would be desired so as to facilitate analysis of account information of a specific account number at a time.

The system and method of Lyons et al. perform similarly to an OnLine system and method. The only difference between Lyons et al and the claimed invention is that Lyons et al do not explicitly state that a user may access their particular account via a website or a browser. Systems for using a remote computer to access remote data from a server was well practiced in

the art at the time of the applicant's invention. Atkins states that through their system, a user or client may access news or financial information via CompuServe which is a web enabling system as Atkins states:

"Through the system of the invention the client can also access a host of ancillary investment news, information, advice, and counseling. In particular, a client can access a current news and information database such as Dow Jones News Retrieval.TM., The Source.TM. and Compuserve.TM". See column 9, lines 8-13.

From these teachings or suggestions, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Lyons et al with Atkins by providing a user with the easy manner of accessing information from a remote server from anywhere in the world.

Lyons et al further teach creating and presenting to their clients a report comprising their financial transaction data. See column 9, lines 37-45 of Lyons et al.

As per claims 3, 10, 17, 25, 37 and 45, Lyons et al teach transmitting the financial transaction data to an accounting software package at the one of the plurality of user's computer. See column 9, lines 36-45 of Lyons et al. In the system of Lyons et al., the user or client transmits their account file or financial transaction data to their accounting software file.

### ***Conclusion***

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Frantzy Poinvil whose telephone number is (571) 272-6797. The examiner can normally be reached on Monday-Thursday from 7:30AM to 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kambiz Abdi can be reached on (571) 272-6702. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

**/Frantzy Poinvil/  
Primary Examiner  
Art Unit 3692**

FP  
April 12, 2008